

COMMITTEE AMENDMENT FORM

DATE: 02/28/07

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #⁷~~06~~-O-0143 SECTION (S)

RESOLUTION I. D. #07-R- PARA.

AMENDS THE LEGISLATION BY ADDING THIRTEEN (13) CONDITIONS.

AMENDMENT DONE BY COUNCIL STAFF 02/28/07

Zoning Conditions

As amended February 6, 2007

Rezoning: 640, 660, 680 & 700 Ralph McGill Boulevard NE, and 645 Angier Avenue NE

From: I-1

To: MRC-3-C

1. As used herein, Sidewalk-Level shall have the meaning utilized in the Mixed Residential Commercial (MRC) District regulations.
2. As used herein, centerline of Ralph McGill Boulevard shall mean the midpoint of the street's 70 feet wide right-of-way as it existed on February 6, 2007.
3. The conceptual building footprints, open space, parking locations shown on the approved site plan are for illustrative purposes only. The project shall be developed in accordance with the use limitations, building setback lines, building height limitations, and density limitations contained herein and in the MRC-3 district regulations.
4. Parking decks shall be completely screened from view with a liner building to surround the deck, except at street-level ingress and egress and in areas interior to the development.
5. The height of any parking deck shall not exceed the height of the immediately adjacent/adjoining building.
6. Façade Materials
 - a. Facades of the first two stories shall be faced in brick; terracotta; stone; masonry with the appearance of brick, terracotta or stone; poured-in-place concrete; or hard coat stucco. No more than 33 percent of the total façade area of the first two stories along any single street (including windows and doors) shall be hard coat stucco.
 - b. Above the second story no more than 66 percent of the total façade area along any single street (including windows and doors) shall be hard coat stucco.
 - c. The following exterior building materials are prohibited: vinyl siding and exterior insulation finish systems (EIFS).
 - d. Solid vinyl windows may only be utilized above the second story.
7. Building Height
 - a. Within 60 feet of the centerline of Ralph McGill Boulevard, no portion of a building shall exceed three stories in height and 50 feet as measured from the average finished sidewalk grade along the north side of Ralph McGill Boulevard.
 - b. Sixty feet or greater from the centerline of Ralph McGill Boulevard, no portion of a building shall exceed six stories in height and 80 feet above grade.
8. Window frames shall be recessed a minimum of two inches from the exterior façade.

Approved 2/6/07
N. Patton
NPV-M-LAND-USE

9. No exterior building stairs seen from the street shall be made of wood, and risers shall be enclosed.
10. Exterior chimneys shall extend to the ground.
11. Exterior columns shall have a minimum width of five and one-half inches.
12. Building foundations shall be faced in brick, terracotta, stone, masonry with the appearance of brick, terracotta or stone, poured-in-place rubbed concrete, or hard coat stucco.
13. As used herein, Residential Treatment shall:
 - a. Provide doors and vertical windows arranged horizontally at the sidewalk-level,
 - b. Provide windows for a minimum of 30 percent of the total sidewalk-level street facade area, with each façade being calculated independently,
 - c. Provide porches or a stoop, which may be shared between two adjacent units, at each Sidewalk-level entrance, and
 - d. Not allow garage doors opening onto the street.
14. As used herein, Storefront Treatment shall have the meaning utilized in the Mixed Residential Commercial (MRC) District regulations for Non-residential fenestration.
15. Along all streets buildings shall provide a sidewalk-level Residential Treatment or a sidewalk-level Storefront Treatment
16. At the intersection of Ralph McGill Boulevard and the former Fortune Street right-of-way, a sidewalk-level Storefront Treatment shall be provided. Said treatment shall extend 30 linear feet along both streets from the building corner closest to said intersection.
17. Fences that are located adjacent to a public or private street shall be of painted wood, stone, composite materials, masonry or metal. The finished sides (i.e. "fronts") of one-sided fences shall face public or private streets, parks, plazas, courtyards that face a public or private street, or sidewalk level outdoor dining areas. Except when located along a side or rear lot line, barbed wire or chain link fences shall not be visible from any public or private street, park, plaza, courtyard or sidewalk level outdoor dining area. Razor wire fences are prohibited.
18. All windows with divided lights shall utilize true divided lights or simulated divided lights. Flat "snap-in muntins", and muntins that are sandwiched between layers of glass are prohibited.
19. Asphalt paving shall only be utilized in areas of exclusive vehicular use.

*Pattern
Approved
2/6/07
NPU-MLANUSTE*

February 6, 2007

Z-06-132

20. Buildings shall be designed and pedestrians shall be directed by the internal layout and signage of buildings in a manner that shall enable them to enter and exit a building onto the same sidewalk. The use of fire escapes as primary entrances is prohibited.

NPUM-LAND USE
Approved
2/16/07
K. Antos

City Council
Atlanta, Georgia

07-O-0143

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-132
Date Filed: 12-5-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **640, 660, 680 & 700 Ralph McGill Blvd & 645 Angier Ave., NE** be changed from the I-1 (Light Industrial) District to the MRC-3-C (Mixed Residential Commercial-Conditional) to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 18, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-06-132 for 640, 660, 680 & 700 Ralph McGill Blvd & 645 Angier Ave., NE

1. Parking decks shall be completely screened from view at street level with a liner building to surround the deck, except at street-level ingress and egress.
2. The height of any parking deck shall not exceed the height of the immediately adjacent/adjoining building.
3. Façade Materials
 - a. The first two stories of all facades shall be faced in brick; terracotta; stone; masonry with the appearance of brick, terracotta or stone; poured-in-place concrete; or hard coat stucco.
 - b. The following exterior building materials are prohibited: vinyl siding, and exterior insulation finish systems (EIFS).
 - c. Solid vinyl windows may only be utilized above the first story.
4. Building Height
 - a. Along Ralph McGill Boulevard the first three stories of a building shall have a maximum height of 50 feet and three stories, as measured from the finished sidewalk grade along the north side Ralph McGill Boulevard. Stories above the third shall be set back a minimum of ten feet from the building facade.
 - b. In all other areas buildings shall have a maximum height of 80 feet.
5. Window frames shall be recessed a minimum of two inches from the exterior façade.
6. No exterior stairs seen from the street shall be made of wood, and risers shall be enclosed.
7. Exterior chimneys shall extend to the ground.
8. Exterior columns shall have a minimum width of five and one-half inches.
9. Foundations shall be faced in brick, terracotta, stone, masonry with the appearance of brick, terracotta or stone, poured-in-place rubbed concrete, or hard coat stucco.
10. As used herein, Residential Treatment shall:
 - a. provide doors and vertical windows arranged horizontally at the sidewalk-level,
 - b. provide windows for a minimum of 30 percent of the total sidewalk-level street facade area, with each façade being calculated independently,
 - c. provide porches or a stoop, which may be shared between two adjacent units, at each Sidewalk-level entrance, and
 - d. not allow garage doors opening onto the street.
11. Along all streets buildings shall provide a sidewalk-level Residential Treatment or a sidewalk-level Storefront Treatment

12. At the intersection of Ralph McGill Boulevard and the former Fortune Street right-of-way, a sidewalk-level Storefront Treatment shall be provided. Said treatment shall extend 30 linear feet along both streets from the building corner closest to said intersection.
13. A publicly accessible pedestrian walkway shall be provided along the west side of the property. Said walkway shall provide pedestrian access from public sidewalks on Angier Avenue to those on Ralph McGill Boulevard. Said walkway shall also have a minimum width of six feet, and may include stairs as needed.

City Council
Atlanta, Georgia

07-0 -0143

Z-06-132

Date Filed: 12-5-06

AN ORDINANCE

BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **640, 660, 680 and 700 Ralph McGill Boulevard, N.E. and 645 Angier Avenue, N.E.**, be changed I-1 (Light Industrial) District to the MRC-3-C (Mixed Residential-Commercial-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 18, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

December 4, 2006

Legal Description (1 of 5)

Rezoning: 640, 660, 680 & 700 Ralph McGill Boulevard NE, and 645 Angier Avenue NE

From: I-1

To: MRC-3-C



640 Ralph McGill Boulevard NE

TRACT 2

All of that tract or parcel of land lying or being in Land Lot 18, 14TH Land District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at a point at the intersection of the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) and the easterly right of way of Glen Iris Drive (50' R.O.W.); thence southeasterly along the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) South 87 degrees 03 minutes 00 seconds East, a distance of 309.15 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901; thence southeasterly along said right of way South 87 degrees 03 minutes 00 seconds East, a distance of 2.58 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901 at which the right of way for Ralph McGill boulevard changes to a 70' right of way; thence northeasterly along said right of way North 65 degrees 58 minutes 50 seconds East, a distance of 53.52 feet to a 1/2" rebar found; said 1/2" rebar being THE POINT OF BEGINNING. thence leaving said right of way North 03 degrees 36 minutes 19 seconds East, a distance of 295.45 feet to a point; thence North 67 degrees 13 minutes 27 seconds East, a distance of 118.72 feet to a point; thence South 22 degrees 28 minutes 18 seconds East, a distance of 222.55 feet to a 3/4" rebar found on the northerly right of way of Ralph McGill Boulevard (70' R.O.W.); thence southwesterly along the northerly right of way of Ralph McGill Boulevard (70' R.O.W.) South 57 degrees 36 minutes 50 seconds West, a distance of 252.36 feet to a 1/2" rebar; said 1/2" rebar being THE POINT OF BEGINNING.
Said tract or parcel containing 43,373 square feet or 1.00 acres.

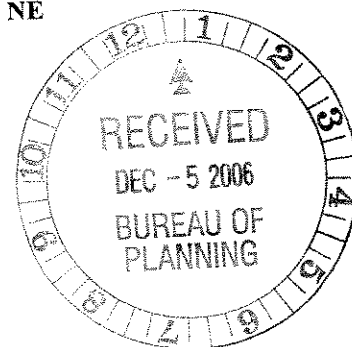
December 4, 2006

Legal Description (2 of 5)

Rezoning: 640, 660, 680 & 700 Ralph McGill Boulevard NE, and 645 Angier Avenue NE

From: I-1

To: MRC-3-C



660 Ralph McGill Boulevard NE

TRACT 1

All of that tract or parcel of land lying or being in Land Lot 18, 14TH Land District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at a point at the intersection of the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) and the easterly right of way of Glen Iris Drive (50' R.O.W.);
thence southeasterly along the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) South 87 degrees 03 minutes 00 seconds East, a distance of 309.15 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901;
thence southeasterly along said right of way South 87 degrees 03 minutes 00 seconds East, a distance of 2.58 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901 at which the right of way for Ralph McGill boulevard changes to a 70' right of way;
thence northeasterly along said right of way North 65 degrees 58 minutes 50 seconds East, a distance of 53.52 feet to a 1/2" rebar found;
thence northeasterly along said right of way North 57 degrees 36 minutes 50 seconds East, a distance of 252.36 feet to a 3/4" rebar;
said 3/4" rebar being THE POINT OF BEGINNING.
thence leaving said right of way North 22 degrees 28 minutes 18 seconds West, a distance of 222.55 feet to a point;
thence South 67 degrees 13 minutes 27 seconds West, a distance of 118.72 feet to a point;
thence North 86 degrees 59 minutes 50 seconds West, a distance of 50.00 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901;
thence North 86 degrees 59 minutes 50 seconds West, a distance of 10.10 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901;
thence North 03 degrees 50 minutes 00 seconds East, a distance of 87.19 feet to a point;
thence North 67 degrees 31 minutes 42 seconds East, a distance of 309.36 feet to a point;
thence South 22 degrees 58 minutes 44 seconds East, a distance of 294.96 feet to a point on the northerly right of way of Ralph McGill Boulevard (70' R.O.W.);
thence southwesterly along the northerly right of way of Ralph McGill Boulevard (70' R.O.W.) South 57 degrees 38 minutes 02 seconds West, a distance of 180.31 feet to a 3/4" rebar;
said 3/4" rebar being THE POINT OF BEGINNING.
Said tract or parcel containing 70,501 square feet or 1.62 acres.

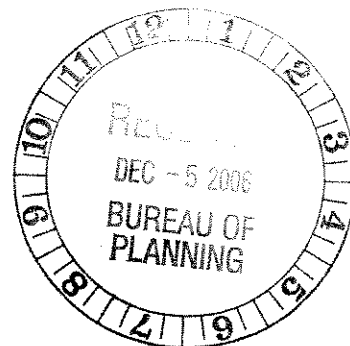
December 4, 2006

Legal Description (3 of 5)

Rezoning: 640, 660, 680 & 700 Ralph McGill Boulevard NE, and 645 Angier Avenue NE

From: I-1

To: MRC-3-C



680 Ralph McGill Boulevard NE

TRACT 3

All of that tract or parcel of land lying or being in Land Lot 18, 14TH Land District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at a point at the intersection of the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) and the easterly right of way of Glen Iris Drive (50' R.O.W.); thence southeasterly along the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) South 87 degrees 03 minutes 00 seconds East, a distance of 309.15 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901; thence southeasterly along said right of way South 87 degrees 03 minutes 00 seconds East, a distance of 2.58 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901 at which the right of way for Ralph McGill boulevard changes to a 70' right of way; thence northeasterly along said right of way North 65 degrees 58 minutes 50 seconds East, a distance of 53.52 feet to a 1/2" rebar found; thence northeasterly along said right of way North 57 degrees 36 minutes 50 seconds East, a distance of 252.36 feet to a 3/4" rebar; thence northeasterly along said right of way North 57 degrees 38 minutes 02 seconds East, a distance of 180.31 feet to a point; said point being THE POINT OF BEGINNING. thence leaving said right of way North 22 degrees 58 minutes 44 seconds West, a distance of 294.96 feet to a point; thence North 22 degrees 58 minutes 44 seconds West, a distance of 195.51 feet to a point on the southerly right of way of Angier Avenue (50' R.O.W.); thence southeasterly along the southerly right of way of Angier Avenue (50' R.O.W.) South 88 degrees 59 minutes 15 seconds East, a distance of 33.37 feet to a point; thence northeasterly along said right of way following a curve to the left an arc distance of 182.11 feet with a radius of 366.19 feet at a chord bearing and distance of North 75 degrees 28 minutes 39 seconds East, a distance of 180.24 feet to a point; thence northeasterly along said right of way following a curve to the left an arc distance of 22.5 feet with a radius of 7888.86 feet at a chord bearing and distance of North 61 degrees 08 minutes 56 seconds East, a distance of 22.50 feet to a point; thence leaving said right of way South 22 degrees 20 minutes 56 seconds East, a distance of 414.70 feet to a point on the northerly right of way of Ralph McGill Boulevard (70' R.O.W.); thence southwesterly along the northerly right of way of Ralph McGill Boulevard (70' R.O.W.) South 57 degrees 29 minutes 46 seconds West, a distance of 229.76 feet to a point; said point being THE POINT OF BEGINNING. Said tract or parcel containing 100,727 square feet or 2.31 acres.

December 4, 2006

Legal Description (4 of 5)

Rezoning: 640, 660, 680 & 700 Ralph McGill Boulevard NE, and 645 Angier Avenue NE

From: I-1

To: MRC-3-C



700 Ralph McGill Boulevard NE

TRACT 5

All of that tract or parcel of land lying or being in Land Lot 18, 14TH Land District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at a point at the intersection of the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) and the easterly right of way of Glen Iris Drive (50' R.O.W.); thence southeasterly along the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) South 87 degrees 03 minutes 00 seconds East, a distance of 309.15 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901; thence southeasterly along said right of way South 87 degrees 03 minutes 00 seconds East, a distance of 2.58 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901 at which the right of way for Ralph McGill boulevard changes to a 70' right of way; thence northeasterly along said right of way North 65 degrees 58 minutes 50 seconds East, a distance of 53.52 feet to a 1/2" rebar found; thence northeasterly along said right of way North 57 degrees 36 minutes 50 seconds East, a distance of 252.36 feet to a 3/4" rebar; thence northeasterly along said right of way North 57 degrees 38 minutes 02 seconds East, a distance of 180.31 feet to a point; thence northeasterly along said right of way North 57 degrees 29 minutes 46 seconds East, a distance of 229.76 feet to a 1/2" rebar; said 1/2" rebar being THE POINT OF BEGINNING. Thence leaving said right of way North 22 degrees 20 minutes 56 seconds West, a distance of 414.70 feet to a point on the southerly right of way of Angier Avenue (50' R.O.W.); thence northeasterly along the southerly right of way of Angier Avenue (50' R.O.W.) following a curve to the left an arc distance of 75.96 feet with a radius of 7,888.86 feet at a chord bearing and distance of North 60 degrees 47 minutes 29 seconds East, a distance of 75.96 feet to a point; thence North 58 degrees 04 minutes 38 seconds East, a distance of 135.74 feet to a point; thence leaving said right of way South 13 degrees 33 minutes 13 seconds West, a distance of 74.36 feet to a point; thence North 63 degrees 53 minutes 59 seconds East, a distance of 59.12 feet to a point; thence South 22 degrees 26 minutes 13 seconds East, a distance of 348.26 feet to a point on the northerly right of way of Ralph McGill Boulevard (70' R.O.W.); thence southwesterly along the northerly right of way of Ralph McGill Boulevard (70' R.O.W.) following a curve to the right an arc distance of 57.43 feet with a radius of 1,013.52 feet at a chord bearing and distance of South 55 degrees 56 minutes 19 seconds West, a distance of 57.42 feet to a point; thence southwesterly along said right of way South 57 degrees 33 minutes 42 seconds West, a distance of 171.62 feet to a 1/2" rebar; said 1/2" rebar being THE POINT OF BEGINNING. Said tract or parcel containing 90,164 square feet or 2.07 acres.

December 4, 2006

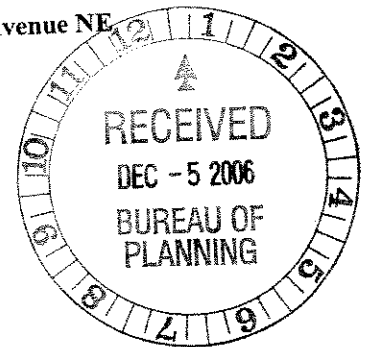
Z-06-132

Legal Description (5 of 5)

Rezoning: 640, 660, 680 & 700 Ralph McGill Boulevard NE, and 645 Angier Avenue NE

From: I-1

To: MRC-3-C



645 Angier Avenue NE

TRACT 4

All of that tract or parcel of land lying or being in Land Lot 18, 14TH Land District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at a point at the intersection of the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) and the easterly right of way of Glen Iris Drive (50' R.O.W.); thence southeasterly along the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) South 87 degrees 03 minutes 00 seconds East, a distance of 309.15 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901; thence leaving said right of way North 03 degrees 36 minutes 20 seconds East, a distance of 294.77 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901; thence North 03 degrees 36 minutes 20 seconds East, a distance of 25.00 feet to a point; thence North 86 degrees 59 minutes 50 seconds West, a distance of 10.10 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901; thence North 03 degrees 50 minutes 00 seconds East, a distance of 87.19 feet to a point; said point being THE POINT OF BEGINNING. thence North 03 degrees 50 minutes 00 seconds East, a distance of 36.21 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901; thence North 61 degrees 48 minutes 50 seconds East, a distance of 104.94 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901; thence North 04 degrees 07 minutes 02 seconds East, a distance of 214.85 feet to a 1" crimp top pipe on the southerly right of way of Angier Avenue (50' R.O.W.); thence southeasterly along the southerly right of way of Angier Avenue (50' R.O.W.) South 88 degrees 59 minutes 15 seconds East, a distance of 99.22 feet to a point; thence leaving said right of way South 22 degrees 58 minutes 44 seconds East, a distance of 195.51 feet to a point; thence South 67 degrees 31 minutes 42 seconds West, a distance of 309.36 feet to a point; said point being THE POINT OF BEGINNING.
Said tract or parcel containing 37,318 square feet or 0.86 acres.

RCS# 903
2/05/07
2:20 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

07-O-0143, 0144, 0145, 0146, 0147, 0148, 0149
07-O-0150, 0151, 0152
REFER ZRB/ZONE

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	E Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE